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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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MILES & STOCKBRIDGE P.C.
1751 PINNACLE DRIVE
SUITE 500
McLEAN, VA 22102-3833

EXAMINER

RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 06/04/2003

12

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/701,611

Applicant(s)

BERNARD, NIVELET

Examiner

Sam Rimell

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 35-46 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 35-46 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

SAM RIMELL

PRIMARY EXAMINER

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Response to Restriction Requirement: Applicant has elected claims 35-46 with traverse. Applicant argues that the claims 47-52 are drawn to an apparatus that is essentially limited to performing the method steps which are outlined in claims 35-46. Examiner finds that this assertion is not correct. Claims 47-52 are addressed to a computer system. The claims repeatedly use the term "comprising", which implies that the claim is not limited to only the functions described. The claimed means and their associated functions are only the minimum requirements of the system, not a complete listing of the system capabilities or functions. Accordingly, Examiner maintains that it is reasonable to find that the claimed computer system defined in claims 47-52 can in fact perform other functions, such as would typically occur on standard computer, including word processing, computer programming, arithmetic calculations and communicating with the world wide web.

The restriction requirement is made final.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 35-46 are rejected under 35 U.S.C. 102(e) as being anticipated by Depledge et al. (U.S. Patent 5,899,988).

Claim 35: FIG. 1 of Depledge discloses a first data table. FIG. 2A and 2B illustrate a method by which the first data table can be preconditioned by the creating of indexes to permit more rapid searching of the first table. The method involves analyzing each of the predicates in

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the table (The predicates are “North”, “South”, “East”, “West”, “Business” and “Individual”) by separating these predicates into individual indexes (FIG. 2A and FIG. 2B). A nomenclature is used, which are rules for converting predicates into numbers. The nomenclature, or rules for converting, call for each instance of the predicate in a row of the first data table to be indicated by the number “1”, and each instance of the predicate missing from a row in the data table to be indicated by “0”. By this nomenclature, each predicate is numerically encoded, and the encoded predicates form multiple second data tables (FIGS. 2A and 2B).

Claim 36: The nomenclature illustrated in FIGS. 2A and 2B creates an association between the predicates and the numerical values. The predicates become replaced with the numerical values, as seen in the tables of FIGS. 2A and 2B.

Claim 37: The second data tables (FIGS. 2A and 2B) are compacted in comparison to the first data table (FIG. 1) in that they have fewer rows.

Claim 38-40: Each of the rows of binary digits in FIGS. 2A and 2B reads as a vector. Since the system of Depledge et al. will process these vectors during search queries, the system of Depledge et al. is considered to be a system with “vectorial capabilities”.

Claim 41: Reference is made to FIG. 3. A query is received in the system that includes the plaintext predicates “Business”, “East” and “South”. The query is presented for the purpose of searching the first table (FIG. 1). The query is numerically encoded in accordance with a nomenclature that calls for each instance of the predicate in a row of the first table to be indicated by a “1”, and each instance of a predicate missing from a row in the first table to be indicated by “0”. The encoded predicates are processed in accordance with a second table (The query table of FIG. 3 reads as this second table).

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Claim 42: In FIG. 3, each plaintext predicate in the query is transformed into a row of binary digits. The row of digits reads as a vector. These vectors represent the values found in the second table (FIG. 3).

Claim 43: In the table of FIG. 3, each of the vectors are compared to each of the other lines of the table. The coincidences between the vectors are calculated and a result record is returned (302) which is a new vector corresponding to the search result.

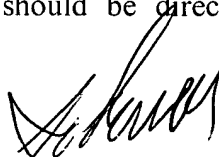
Claim 44: The returned record (302) is translated back into plain text to indicate the results of the query.

Claim 45: The result (302) is a set of numbers. A set of numbers reads as a "statistical form".

Claim 46: See remarks for claim 40.

This office action is not made final.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (703) 306-5626.



Sam Rimell
Primary Examiner
Art Unit 2175